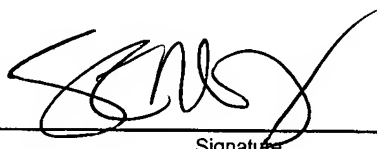


Doc 3000 PRE.REQ

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		34986.49	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>January 23, 2006</u>		Application Number	Filed
Signature <u>Karen L. Underwood</u>		10/086,604	March 1, 2002
Typed or printed name <u>Karen L. Underwood</u>		First Named Inventor	
		Bakke	
		Art Unit	Examiner
		2136	Shiferaw, Elani A.
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Steven T. McDonald	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>45,999</u>		Typed or printed name	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		(972) 739-8644	
		Telephone number	
		January 23, 2006	
		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No.: 10/086,604
REASONS IN SUPPORT OF PRE-APPEAL
BRIEF REQUEST FOR REVIEW



Patent / Docket No. 34986.49
Customer No.: 27683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	Attorney Docket No. 34986.49
Bakke	§	
	§	
Serial No.: 10/086,604	§	Customer No. 27683
	§	
Filed: March 1, 2002	§	Group Art Unit: 2136
	§	
For: VOICE FIREWALL	§	Examiner: Shiferaw, Elani A.
	§	

REASONS IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please consider the following reasons in support of the concurrently filed Pre-Appeal Brief Request for Review.

Reasons

I. Applicant submits that there is clear error with respect to the Examiner's rejection of claims 1-13 and 20-26 under 35 U.S.C. § 103(a) in light of U.S. Patent Application No. 6,822,957 to Gbadegesin ("Gbadegesin") in view of U.S. Patent No. 6,822,957 to Schuster et al. ("Shuster"). More specifically, as detailed on pages 8-9 of Applicant's Response (dated 21 November 2005) to the Final Office Action (dated 21 September 2005), the rejection of claim 1 is deficient because the prior art clearly fails to teach or suggest the claim 1 limitation reciting "receiving a connection signal from a soft switch at the provider location, wherein a data portion of the connection signal includes a private connection address associated with the provider endpoint." Claims 8, 20, and 26 recite similar features as claim 1 and were rejected for the same rationale.

Therefore, claims 8, 20, and 26 suffer the same error in rejection as claim 1. Claims 2-7, 9-13, and 21-25 depend from and further limit claims 1, 8, and 20 and therefore suffer from the same errors in rejection as claim 1.

II. Applicant submits that there is clear error with respect to the Examiner's rejection of claims 14-19 under 35 U.S.C. § 103(a) in light of Gbadegesin in view of Schuster. As described in detail on pages 10-11 of Applicant's Response (dated 21 November 2005) to the Final Office Action (dated 21 September 2005), the cited combination of references fails to teach or suggest the portion "a voice communication port electrically connected to the processor, wherein the voice communication port is associated with the private connection address on a private side of the voice firewall and is associated with the public connection address on a public side of the voice firewall" of claim 14. Specifically, the Office action relies on Schuster that only appears to generally describe a general network telephony system. (Final Office action, dated Sept. 21, 2005, at page 6). Claims 15-19 depend from and further limit claim 14 and therefore suffer from the same error in rejection as claim 14.

Conclusion

It is respectfully submitted that all the claims in the application are in condition for allowance.

Respectfully submitted,



Steven T. McDonald
Registration No. 45,999

Dated: January 23, 2006
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File: 34986.49

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2006.


Karen L. Underwood